

EXHIBIT B

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Attorneys for Nobuaki Kobayashi, in his
capacity as the Civil Rehabilitation Trustee and
Foreign Representative of MtGox Co., Ltd., a/k/a
MtGox KK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States of America,

Plaintiff,

vs.

Approximately 69,370 Bitcoin (BTC), Bitcoin
Gold (BTG) Bitcoin SV (BSV) and Bitcoin
Cash (BCH),

Defendants.

Civil Action No.3:20-cv-07811-RS

[Honorable Richard Seeborg]

**DECLARATION OF STEPHEN R. COOK
IN SUPPORT OF MOTION FOR DIRECT
ACCESS AND INTERVENTION**

DATE: June 3, 2021
TIME: 1:30 p.m.
CTRM 3

1 I, Stephen R. Cook, declare:

2 1. I am a partner with the law firm Brown Rudnick, LLP, counsel for Mr. Nobuaki
3 Kobayashi, in his capacity as the Civil Rehabilitation Trustee and Foreign Representative of MtGox
4 Co., Ltd., a/k/a MtGox KK. I make this declaration in support of Mr. Kobayashi's motion for
5 direct access and intervention. I have personal knowledge of the facts stated herein, and if called
6 as a witness, I could and would competently testify thereto.

7 2. On October 3, 2019, I called the U.S. Attorney's Office for the Northern District of
8 California in an attempt to learn further information about two pending matters purporting to
9 concern the assets of the MtGox Estate: USA v. BTC-e a/k/a CANTON BUSINESS CORP., and
10 ALEXANDER VINNIK (4:19-cv-04281-KAW), and USA v. BTC-E A/K/A CANTON BUSINESS
11 CORPORATION, and ALEXANDER VINNIK (16-cr-00227-SI). The U.S. Attorney in charge of
12 the civil case did not return my phone call.

13 3. On October 26, 2020 my law firm sent a follow-up letter to the U.S. Attorney's
14 Office on the same subject, but did not receive any communications in return.

15 4. On February 9, 2021, my law firm sent an additional follow-up letter to the U.S.
16 Attorney's Office, along with draft document requests and an invitation to meet and confer, but did
17 not receive any communications in return.

18 5. On March 26, 2021, my law firm formally served the U.S. Attorney's Office with a
19 subpoena and attached document requests, with a return date of May 14, 2021, concerning Mr.
20 Kobayashi's specific inquiries into the pending matters concerning the MtGox Estate. As of the
21 date of this declaration, my law firm has received no communications from the U.S. Attorney's
22 Office on this subject.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct, and signed on the date set forth below in Irvine, California.

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6 Dated: April 22, 2021.

Stephen R. Cook